

Merchant & Gould
An Intellectual Property Law Firm

3200 IDS Center
80 South Eighth Street
Minneapolis, Minnesota
55402-2215 USA
TEL 612.332.5300
FAX 612.332.9081
www.merchant-gould.com

A Professional Corporation

Fax Transmission | September 28, 2004

TO: Commissioner for Patents
Attn: Examiner Alton N. Pryor
P.O. Box 1450
Alexandria, VA 22313-1450

FROM: Mark T. Skoog

OUR REF: 163.1587US01
TELEPHONE: 612.371.5240

Total pages, including cover letter: 7

PTO FAX NUMBER 1-571-273-0621

If you do NOT receive all of the pages, please telephone us at 612.371.5204, or fax us at 612.332.9081.

Title of Document Transmitted: FORM 1449 DATED MAY 28, 2002
Applicant: HEI ET AL.
Serial No.: 10/086,765
Filed: FEBRUARY 28, 2002
Group Art Unit: 1616
Our Ref. No.: 163.1587US01
Confirmation No. 8789

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Mark T. Skoog
Name: Mark T. Skoog
Reg. No.: 40,178

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Sheryl A. Boerboom

Sheryl A. Boerboom
Signature

September 28, 2004
Date

Date Mailed: May 28, 2002

Sheet 1 of 6

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 163.1587US01	Application Number: 10/086,765
		Applicant: HEI ET AL.	
		Filing Date: 2/28/02	Group Art Unit: 1616

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
ANW	2,512,640	06/27/1950	Greenspan et al.			
	3,122,417	02/25/1964	Blasor et al.			
	3,248,281	04/26/1966	Goodenough			
	3,350,265	10/31/1967	Rubinstein et al.			
	3,514,278	05/26/1970	Brink			
	3,895,116	07/15/1975	Herting et al.			
	3,996,386	12/07/1976	Malkki et al.			
	4,041,149	08/09/1977	Gaffar et al.			
	4,051,058	09/27/1977	Böwing et al.			
	4,051,059	09/27/1977	Böwing et al.			
	4,129,517	12/12/1978	Eggensperger, et al.			
	4,191,660	03/04/1980	Schreiber et al.			
	4,244,884	01/13/1981	Hutchins et al.			
	4,370,199	01/25/1983	Omdorff			
	4,404,040	09/13/1983	Wang			
	4,477,438	10/16/1984	Willcockson, deceased et al.			
	4,478,683	10/23/1984	Omdorff			
	4,501,681	02/26/1985	Grault et al.			
	4,529,534	07/16/1985	Richardson			
	4,557,898	12/10/1985	Greene et al.			
	4,592,488	06/03/1986	Simon et al.			
	4,613,452	09/23/1986	Sanderson			
	4,655,781	04/07/1987	Hsieh et al.			
	4,666,622	05/19/1987	Martin et al.			
	4,715,980	12/29/1987	Lopes et al.			
	4,738,840	04/19/1988	Simon et al.			
	4,802,994	02/07/1989	Mouché et al.			
	4,865,752	09/12/1989	Jacobs			
ANW	4,900,721	02/13/1990	Bansemir et al.			

EXAMINER <i>A. H. Ruyor</i>	DATE CONSIDERED <i>11/3/04</i>
-----------------------------	--------------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

Date Mailed: May 28, 2002

Sheet 2 of 6

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)				Docket Number: 163.1587US01	Application Number: 10/086,765
				Applicant: HEI ET AL.	
				Filing Date: 2/28/02	Group Art Unit: 1616

<i>Aur</i>	4,906,617	03/06/1990	Jacquet et al.			
	4,908,306	03/13/1990	Lorinez			
	4,917,815	04/17/1990	Beilfuss et al.			
	4,923,677	05/08/1990	Simon et al.			
	4,937,066	06/26/1990	Vlock			
	4,943,414	07/24/1990	Jacobs et al.			
	4,945,110	07/31/1990	Brodkin et al.			
	4,996,062	02/26/1991	Lehtonen et al.			
	4,997,571	03/05/1991	Roensch et al.			
	4,997,625	03/05/1991	Simon et al.			
	5,004,760	04/02/1991	Patton et al.			
	5,010,109	04/23/1991	Inoi			
	5,015,408	05/14/1991	Reuss			
	5,043,176	08/27/1991	Bycroft et al.			
	5,069,286	12/03/1991	Roensch et al.			
	5,078,896	01/07/1992	Rorig et al.			
	5,084,239	01/28/1992	Moulton et al.			
	5,093,140	03/03/1992	Watanabe			
	5,114,178	05/19/1992	Baxter			
	5,114,718	05/19/1992	Dumani			
	5,122,538	06/16/1992	Lokkesmoe et al.			
	5,129,824	07/14/1992	Keller			
	5,130,124	07/14/1992	Merianos et al.			
	5,139,788	08/18/1992	Schmidt			
	5,176,899	01/05/1993	Montgomery			
	5,200,189	04/06/1993	Oakes et al.			
	5,208,057	05/04/1993	Greenley et al.			
	5,234,703	08/10/1993	Guthery			
	5,234,719	08/10/1993	Richter et al.			
	5,268,003	12/07/1993	Coope et al.			
<i>Aur</i>	5,292,447	03/08/1994	Venturillo et al.			

EXAMINER <i>A Tim Poyer</i>	DATE CONSIDERED <i>11/3/04</i>
EXAMINER: Initial if reference considered; whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

Date Mailed: May 28, 2002

Sheet 3 of 6

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 163.1587US01	Application Number: 10/086,765
		Applicant: HEI ET AL.	
		Filing Date: 2/28/02	Group Art Unit: 1616

5,314,687	05/24/1994	Oakes et al.			
5,336,500	08/09/1994	Richter et al.			
5,364,650	11/15/1994	Guthery			
5,391,324	02/21/1995	Reinhardt et al.			
5,409,713	04/25/1995	Lokkesmoe et al.			
5,419,908	05/30/1995	Richter et al.			
5,435,808	07/25/1995	Holzhauer et al.			
5,436,008	07/25/1995	Richter et al.			
5,437,868	08/01/1995	Oakes et al.			
5,489,434	02/06/1996	Oakes et al.			
5,494,588	02/27/1996	LaZonby			
5,508,046	04/16/1996	Cosentino et al.			
5,512,309	04/30/1996	Bender et al.			
5,578,134	11/26/1996	Lentsch et al.			
5,591,706	01/07/1997	Ploumen			
5,595,967	01/21/1997	Miracle et al.			
5,597,790	01/28/1997	Thoen			
5,616,335	04/01/1997	Nicolle et al.			
5,616,616	04/01/1997	Hall et al.			
5,632,676	05/27/1997	Kurschner et al.			
5,641,530	06/24/1997	Chen			
5,656,302	08/12/1997	Cosentino et al.			
5,658,467	08/19/1997	LaZonby et al.			
5,674,538	10/07/1997	Lokkesmoe et al.			
5,674,828	10/07/1997	Knowlton et al.			
5,683,724	11/04/1997	Hei et al.			
5,712,239	01/27/1998	Knowlton et al.			
5,718,910	02/17/1998	Oakes et al.			
5,756,139	05/26/1998	Harvey et al.			

EXAMINER <i>A. Hm. Prysor</i>	DATE CONSIDERED <i>5/3/04</i>
-------------------------------	-------------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

Date Mailed: May 28, 2002

Sheet 4 of 6

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)				Docket Number: 163.1587US01	Application Number: 10/086,765
				Applicant: HEI ET AL.	
				Filing Date: 2/28/02	Group Art Unit: 1616

ANT	5,785,867	07/28/1998	LaZonby et al.			
	5,840,343	11/24/1998	Hall et al.			
	5,851,483	12/22/1998	Nicolle et al.			
	5,891,392	04/06/1999	Monticello et al.			
	5,900,256	05/04/1999	Scoville, Jr. et al.			
	5,902,619	05/11/1999	Rubow et al.			
	5,968,539	10/19/1999	Beers et al.			
	5,989,611	11/23/1999	Sternmler, Jr. et al.			
	5,998,358	12/07/1999	Herdt et al.			
	6,010,729	01/04/2000	Gutzmann et al.			
	6,024,986	02/15/2000	Hei			
	6,033,705	03/07/2000	Isaacs			
	6,049,002	04/11/2000	Mattila et al.			
	6,096,226	08/01/2000	Fuchs et al.			
	6,096,266	08/01/2000	Duroselle			
ANT	6,096,348	08/01/2000	Miner et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCL ASS	TRANSLATION	
						YES	NO
ANT	2,181,416	01/20/1997	CA				
	35 43 500 A1	06/11/1987	DE				X
	39 06 044 A1	08/30/1990	DE			English Abstract	
	197 51 391 A1	07/23/1998	DE				X
	0 195 619 A2	09/24/1986	EP				
	0 233 731 A2	08/26/1987	EP				
	0 404 293 A2	12/27/1990	EP			English Abstract	
	0 461 700 A1	12/18/1991	EP				
	0 569 066 A1	11/10/1993	EP				
	0 667 392 A2	02/14/1995	EP				
	0 779 357 A1	12/16/1995	EP				
ANT	0 805 198 A1	07/16/1996	EP				

EXAMINER Alton Bryan	DATE CONSIDERED 6/3/04
----------------------	------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

Date Mailed: May 28, 2002

Sheet 1 of 6

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: 163.1587US01	Application Number: 10/086,765
		Applicant: HEI ET AL.	
		Filing Date: 2/28/02	Group Art Unit: 1616

<i>Anr P</i>	0 843 001 A1	11/13/1996	EP				
	0 985 349 A2	03/15/2000	EP				
	2 321 301 A	03/18/1977	FR				X
	2 324 626 A	04/15/1977	FR				X
	2 255 507	11/11/1992	GB				
	1 494 109	12/07/1977	GR				
	78 568 A	04/20/1978	LU				X
	WO 93/01716	02/04/1993	PCT				
	WO 94/21122	09/29/1994	PCT				
	WO 94/23575	10/27/1994	PCT				X
	WO 95/34537	12/21/1995	PCT				
	WO 96/30474	10/03/1996	PCT				
	WO 98/28267	07/02/1998	PCT				
	WO 99/51095	10/14/1999	PCT				
<i>Anr P</i>	2102447 C1	08/29/1996	RU			English Abstract	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>Anr P</i>	Bell, K. et al., "Reduction of foodborne micro-organisms on beef carcass tissue using acetic acid, sodium bicarbonate, and hydrogen peroxide spray washes", <i>Food Microbiology</i> , Vol. 14, pp. 439-448 (1997).
	Eggensperger, H., "Disinfectants Based on Peracid-Splitting Compounds", <i>Zbl. Bakter. Hyg., I. Abt. Orig. B</i> 168, pp. 517-524 (1979)
	Lion C. et al., "New decontaminants. Reaction of peroxyacid esters with toxic insecticides", <i>Bull. Soc. Chim. Belg.</i> , Vol. 100, No. 7, pp. 555-559 (1991).
	Merka, V. et al., "Disinfectant properties of some peroxide compounds.", Abstract No. 67542e. <i>Chemical Abstracts</i> , Vol. 67 (1967)
	Mulder, R.W.A.W. et al., "Research Note: <i>Salmonella</i> Decontamination of Broiler Carcasses with Lactic Acid, L-Cysteine, and Hydrogen Peroxide", <i>Poultry Science</i> , Vol. 66, pp. 1555-1557 (1987).
	Parker, W. et al., "Peroxides. II. Preparation, Characterization and Polarographic Behavior of Longchaing Aliphatic Peracids". <i>Synthesis and Properties of LongChain Aliphatic Peracids</i> , Vol. 77, pp. 4037-4041 (August 5, 1955).
	Parker, W. et al., "Peroxides. IV. Aliphatic Diperacids", <i>Aliphatic Diperacids</i> , Vol. 79, pp. 1919-1931 (April 20, 1957).
	Towle, G. et al., "Industrial Gums polysaccharides and Their Derivatives", Second Edition, Ch. XIX, "Pectin", pp. 429-444 (year unknown)
	Arnak Chemicals, "NEO-FAT Fatty Acids", <i>Akzo Chemicals Inc.</i> , Bulletin No. 8G-17 (1986).
	Computer search results - Level 1 - 5 patents (March 1994)
	Computer search results from Ecolab Information Center (June 1998)
	"Emery® Fatty and Dibasic Acids Specifications and Characteristics", <i>Emery Industries</i> , Bulletin 145, (October 1983)
<i>Anr P</i>	Pfizer Chemical Division, "Pfizer Flocon® Biopolymers for Industrial Uses (xanthan broths)", Data Sheet 679, pp. 1-4 (year unknown)

EXAMINER <i>A. H. Dryer</i>	DATE CONSIDERED <i>11/13/04</i>
-----------------------------	---------------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

Date Mailed: May 28, 2002

Sheet 6 of 6

FORM 1449* INFORMATION DISCLOSURE STATEMENT		Docket Number: 163.1587US01	Application Number: 10/086,765
IN AN APPLICATION (Use several sheets if necessary)		Applicant: HEI ET AL.	
		Filing Date: 2/28/02	Group Art Unit: 1616

<i>Amr</i>		"Indirect food additives: adjuvants, production aids, and sanitizers", <i>Fed. Regist.</i> , Vol. 61, No. 108, pp. 28051-28053 (June 4, 1996) (abstract only)
<i>Amr</i>		Search Result from Database WPI and Database INPADOC
<i>Amr</i>		Copy of International Search Report dated January 30, 2002 (10 pages)
<i>Amr</i>		Search Report for the use of amine oxides with hydrogen peroxide in bleaching, sanitizing, disinfectant or hard surface cleaners



EXAMINER <i>Altman Przywara</i>	DATE CONSIDERED <i>11/3/04</i>
---------------------------------	--------------------------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.